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May 1, 2020

The Honorable Richard M. Gergel
United States District Judge
District of South Carolina
P.O. Box 835
Charleston, SC 29402

Re: No. 9:14-cv-3699-RMG, United States ex rel. Lutz v. Laboratory Corporation of America Holdings

Dear Judge Gergel:

LabCorp's April 29, 2020 letter requested a case management conference with the Court.¹ It did not request any Orders from the Court. Rather, as we still believe, the discovery and pretrial process in this case could benefit from Your Honor's participation with, and input to, the parties in the hope that we can avoid resorting to more cumbersome motion practice. After reading the response filed by attorneys for Relators Scarlett Lutz and Kayla Webster on April 30, 2020 (which, to LabCorp's disappointment, hurls various accusations, including that LabCorp is acting "shamelessly" by asking for a case management conference), LabCorp believes even more that such a conference between Your Honor and the parties would be beneficial.

The parties have met and conferred on a multitude of issues, and issues continue to accrue. In addition, the current pandemic has created an unprecedented situation that has made this already complex case even more so. At the same time, Relators have proceeded with noticing depositions in locations that are subject to stay-at-home orders, and taken other positions that LabCorp disagrees with, as LabCorp detailed in its letter. We do not intend to further argue about the issues and current disagreements in this correspondence. Rather, we reiterate our belief that a conference with the Court can provide guidance moving forward on a host of points and likely will spur

¹ L.R. 7.02 applies to "motions," not letter requests for a case management conference. Moreover, LabCorp has repeatedly met and conferred with Relators on numerous points, and both parties have indicated at various times they thought the Court's intervention was appropriate. See Exhibits to Relators' Letter.

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agreements between the parties on others. Given the current circumstances, LabCorp respectfully submits that the conference remains warranted.

Respectfully submitted,

/s/ James Lynn Werner

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JLW/sre

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